

SECTION 6: TAXICABS

A. DEFINITIONS

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) *Applicant* means any individual, firm or corporation in the process of attaining either a license to operate or a City Taxi Driver permit.
- (2) *City* means the City of College Station, Texas.
- (3) *Cruise* or *Cruising* means the movement of unoccupied taxicabs over the public streets of the City in search of or soliciting prospective passengers for hire; provided, however, unoccupied taxicabs proceeded to answer a telephone call for taxicab service from an intending passenger, and taxicabs returning to the place where such taxicab is housed or to the place of discharge of the passenger or passengers, shall not be considered to be cruising.
- (4) *Driver* or *Chauffeur* means every person in actual charge of operation of a taxicab whether as owner or agent, servant or employee of the Owner.
- (5) *License* means the authority granted by the City to operate a taxicab or taxicabs and shall authorize such operator of a taxicab or taxicabs to engage in the business of transportation by taxicab.
- (6) *Overcrowding* means that the driver is transporting a greater number of people in the vehicle than has been recommended by the manufacturer of the vehicle or for whom there is no seat belt, inclusive of the driver.
- (7) *Taxicab* and *Limousine*, as distinguished below, shall collectively encompass all vehicles which transport passengers for hire, except only for those classes of vehicles which are specifically excluded by sub-section B(8) of this section. "Taxicab" service shall be distinguished from "limousine" service in the following manner:
 - (a) "Taxicab" service is rendered in prompt response to receipt of the request for service from the customer. Such requests are typically received in one of the following ways:
 - (i) Via telephone, in which case a dispatcher forwards the customer's request to a taxicab driver via two-way radio as soon as a taxicab vehicle is available to respond.
 - (ii) Via direct contact, in which case the customer communicates directly with the driver of a taxicab waiting at a motel, hotel, airport, or bus terminal or similar location.
 - (iii) Via direct contact in which case a customer hails or flags down a passing taxicab.
 - (b) "Limousine" service is chartered or reserved by the customer at a minimum of 24 hours in advance of the time the service is rendered.
- (8) *Owner* or *Operator* means any person who has the control, direction, maintenance, and the benefit of the collection of revenue derived from the operation of taxicabs on or over the streets of the City whether as owner or otherwise, except "driver" as herein defined.
- (9) *Taxi Driver Permit* means a permit issued by the City to the driver of a taxicab meeting the qualifications as described within this section.
- (10) *Terminal* means the depot at which place the taxicabs shall be housed or parked, and at which place the telephone calls and requests for service shall be made,

and at which place a dispatcher shall control the movements of the taxicabs to the points of request for taxicab service; this word shall likewise be synonymous with taxi terminal and shall mean and embrace that space and area of land and buildings off of the streets of the City, and upon private property, and shall be and constitute the main office of the owner and taxicab operator.

- (11) *Vehicle Permit* means a permit issued by the City to the owner of a taxi cab that has been issued a license by the City to operate within the city, and that taxicab has met the qualifications as described within this section.
- (12) *Jitney* is a motor vehicle designed to carry twelve or fewer persons, including the driver, and used to carry passengers on fixed routes for hire.

B. EXCEPTIONS

The provisions of this section shall not apply to the following:

- (1) Motor buses regularly operated in the City to or from points outside of the incorporated limits of the City or transporting to or from school or college.
- (2) Ambulances operating under permit from this City or another city.
- (3) Vehicles rented or leased for self-operation by the person actually driving the same, unless such vehicle is transporting for compensation persons other than the one who actually rented or leased the same.
- (4) Vehicles owned or operated by motels, hotels, and other businesses for transporting their guests or employees without charge. This chapter shall apply, however, to other companies or individuals providing such service under a contract with said motels, hotels, or other businesses.
- (5) Any vehicle being operated pursuant to a franchise or permit legally issued by the Texas Railroad Commission or the Interstate Commerce Commission.
- (6) Transportation of people where the taxicab or limousine is licensed by another governmental entity from a point outside College Station to a destination inside College Station if the taxicab or limousine leaves College Station without receiving a passenger inside College Station.
- (7) Horse-drawn carriages.
- (8) Limousines.
- (9) Jitney.

C. TAXICAB SERVICE LICENSE

- (1) License - Required
 - (a) It shall be unlawful for an individual, firm, or corporation to drive or operate or cause to be driven or operated any taxicab service upon or over any street in the City unless there has first been obtained for such service, a license duly issued by the City as hereinafter provided.
- (2) License - Application
 - (a) Application for Taxicab License Service within the City shall be filed with the City of College Station, Texas on a form provided by the City. Applications shall be filed on or before December 1 of each calendar year. The applicant shall provide the following information on such form:
 - (i) Name of the owner, or person by whom such permit is desired;
 - (ii) Name of company;

- (iii) Address of company;
 - (iv) Telephone number of company;
 - (v) If corporation, name and address of major officers of corporation and major stockholders;
 - (vi) If partnership or association, trade, partnership, or associate name, name and address of partners;
 - (vii) If sole proprietorship, name and address of owner; and
 - (viii) A statement that the applicant has not been finally convicted of any felony or other offense involving moral turpitude within the past ten (10) years which adversely affects the applicant's ability to provide safe and reliable passenger transportation.
- (b) The application shall include a sworn statement by the applicant that all information provided in the application is true and correct and shall further state that the City is authorized to require a copy of the applicant's driving record and criminal history - provided by the applicant, if any, of the applicant. The City shall investigate the facts stated in the application.
 - (c) Each application shall be accompanied by a non-refundable license fee of fifty dollars (\$50.00) per taxicab license service to defray the expense of carrying out the provisions of this section.

D. REVOCATION OR SUSPENSION OF TAXICAB SERVICE OPERATOR'S LICENSE

- (1) The City is hereby authorized and empowered to revoke or suspend any license issued hereunder upon his finding that any taxicab service operator has willfully violated any of the provisions of this section. Such revocation or suspension shall take effect upon delivery of written notice thereof to the taxicab service operator, with such delivery being made in person or by certified mail through the United States Postal Service; provided, however, that the taxicab service operator shall have the right to appeal to the City Manager from any such action of the City by delivering such appeal to the City Secretary not more than five (5) days after the action appealed from. In the event the taxicab service operator shall fail to deliver such notice to the City Secretary within the time prescribed, the action of the City in revoking or suspending the license shall be final. If the taxicab service operator timely delivers the notice to the City Secretary, the City Manager or his designee, shall hear the appeal not more than twenty (20) days after the filing of the notice of appeal with the City Secretary.
- (2) A license may be revoked or suspended by the City upon the verification of any of the following:
 - (a) The taxicab service operator has been finally convicted of a felony or other offense involving moral turpitude, which adversely affects the operator's ability to provide safe and reliable passenger transportation to the public;
 - (b) The license was obtained by an application in which any material fact was intentionally omitted or falsely stated;
 - (c) The taxicab service operator has persisted in the operation of motor vehicles that are in violation of any law;
 - (d) The taxicab service operator has willfully and knowingly violated or failed to comply with any of the provisions hereof or any policies or rules set out pursuant to this section;

- (e) The taxicab service operator or any agent hereof has been guilty of willfully operating said service in a negligent manner;
- (f) The taxicab service operator has allowed its insurance to be canceled, withdrawn, terminated, or to fall below the minimum prescribed in this section;
- (g) The taxicab service operator has allowed any of its vehicles or equipment to become damaged, deteriorated, or unclean to the extent that it is unsatisfactory for public use;
- (h) The taxicab service operator is delinquent on any taxes owed to the City or fails to show financial ability to maintain services in compliance with the terms hereof; or
- (i) The taxicab service operator has allowed any driver or attendant to drive taxicabs after final conviction of an offense as described in sub-section H(1)(c).

E: INSURANCE POLICY

- (1) Any applicant for vehicle for hire licensing under this article shall, before the license can be issued, deliver to the appropriate City department a Certificate of Insurance reflecting insurance coverage as herein prescribed for approval and a cancellation endorsement (State Form TE0202A). Said applicant shall keep in full force and effect during the term of the Taxicab Service License a policy of public liability insurance, issued by an insurance company fully authorized to do business in this state and performable in this county, insuring the public against any loss or damage that may result to any person or property from the operation of such vehicle or vehicles. The Certificates of Insurance shall contain a provision that coverage under such policies shall not be canceled or materially changed until at least 30 days prior written notice has been given to the City of College Station. Passenger liability exclusions are expressly prohibited. Insurance shall be in the following minimum amounts:
 - (a) General liability insurance in the amount of: combined single limit of five hundred thousand dollars (\$500,000.00) per occurrence, with an aggregate amount of one million dollars (\$1,000,000.00), covering property damage, bodily injury and personal injury; to secure payment of all lawful and proper claims arising out of the operations of the vehicle for hire service authorized hereunder. This section applies only to those vehicle for hire services that have a fixed base of operation, such as an office or terminal, that is visited by customers to secure services.
 - (b) Automobile insurance in the minimum amounts of twenty thousand dollars (\$20,000) due to bodily injury or death to any one person in any one accident, forty thousand dollars (\$40,000) due to such damages to two or more people per accident, and fifteen thousand dollars (\$15,000) because of property damage of others in any one accident; and personal injury protection coverage in the amount of five thousand dollars (\$5,000) or the maximum amount available through State assigned risk pool.
- (2) In the event that any insurance policy is canceled upon the request of the surety or insured, and no insurance policy is filed by the license holder before the cancellation date, the Taxicab Service License shall be automatically revoked.

F. ISSUANCE OF LICENSE

The City or his designee shall issue to each applicant a Taxicab Service License for the business upon the filing of written proof of insurance as required herein and upon a determination that all requirements of this section have been met. The Taxicab Service License shall be issued for the period beginning January 1 and ending December 31. Any new license issued during the year shall begin on the date of issuance and end on

December 31 of that year. The Taxicab Service License shall state the year for which it is valid.

G. CITY TAXI DRIVER PERMIT

(1) City Taxi Driver Permit Required

- (a) In accordance with the terms and provisions of this article, every individual desiring to drive a taxicab in the City, before driving a taxicab, shall apply for and obtain a City Taxi Driver Permit. A Taxicab Service licensee may not cause or otherwise allow a person to drive for hire a taxicab owned, controlled or operated by the licensee unless the driver has a valid City Taxi Driver Permit issued to them under this section. It shall be unlawful for any person to drive or operate any taxicab unless and until he or she has provided their name, address, date of birth, and Texas driver's license number to the City and been issued a City Taxi Driver Permit. All drivers shall display upon request of a city official a City Taxi Driver Permit issued by the City of College Station as described herein.

H. CITY TAXI DRIVER PERMIT APPLICATION

- (1) Every individual proposing to drive a taxicab within the City shall submit an application to the City. The application shall include a sworn statement by the applicant that all information provided in the application is true and correct and shall further state that the City is authorized to require a copy of the applicant's driving record and criminal history - provided by the applicant, if any, of the applicant. The City shall investigate the facts stated in the application. A City Taxi Driver Permit shall be issued to each driver fulfilling the requirements of this section. Every applicant shall furnish under oath the following information:

- (a) Name, local residence address, date of birth, and telephone number.
- (b) Texas driver's license number, expiration date and three-year driving record.
- (c) A statement that the applicant has not been finally convicted within the past ten (10) years of a felony or the following offenses involving moral turpitude which adversely affects the applicant's ability to provide safe and reliable passenger transportation:
 - (i) Prostitution or related offenses;
 - (ii) Driving while intoxicated;
 - (iii) Driving while under the influence of drugs;
 - (vi) Violations of the Controlled Substance Act;
 - (v) Rape, murder, attempted murder, aggravated assault;
 - (vi) Theft over five hundred dollars (\$500); or
 - (vii) A felony or other offense involving moral turpitude which adversely affects the applicant's ability to provide safe and reliable passenger transportation.
- (d) That the applicant has read in full and understands the provisions of this section.

I. FEE GENERALLY; ISSUANCE; TERM

- (1) Upon finding that the applicant meets the qualifications stated herein, the City shall cause to be issued to such applicant a City Taxicab Driver Permit. Each

permit issued shall expire on December 31 of the calendar year in which the permit is issued.

- (2) The annual fee for driver's permits issued prior to June 30 shall be ten dollars (\$10.00). Fees for permits issued on June 30 or there after shall be five dollars (\$5.00). No portion of the fee shall be refunded in the event the permit is terminated prior to expiration. Permit documents which are lost or destroyed may be replaced upon payment of a five dollar (\$5.00) fee.

J. GROUND FOR REFUSAL TO ISSUE

- (1) The City Representative shall approve or deny the application. The application shall be denied if the applicant's past criminal or traffic record indicates unfitness for driving a taxicab.

K. TERM; EXPIRATION; RENEWAL

- (1) The term of all permits shall be for not more than one (1) year with expiration on December 31. Renewals shall be applied for in the same manner as specified for the original permit. Renewal permits may be issued during the month of December for expiration on December 31 of the following year. Permit documents which are lost or destroyed may be replaced upon payment of a Five Dollar (\$5.00) fee.

L. DISPLAY OF DRIVER'S PERMIT

- (1) No person shall drive a taxicab within the City unless the driver's permit issued by the City is displayed at a conspicuous place inside the vehicle in view of the passengers. The permit, including the photo, shall not be altered in any manner.
- (2) The City of College Station shall provide the permit along with a picture which shall be laminated. A second picture will be kept on file along with the Taxi Permit Application.

M. REVOCATION AND SUSPENSION OF CITY TAXI DRIVER PERMIT

- (1) The City is hereby authorized and empowered to revoke or suspend any taxicab driver permit issued hereunder upon his finding that any permittee has willfully violated any of the provisions of this section. Such revocation or suspension shall take effect upon delivery of written notice thereof to the permittee, with such delivery being made in person or by certified mail through the United States Postal Service; provided, however, that the permittee shall have the right to appeal to the City Manager from any such action of the City by delivering such appeal to the City Secretary not more than five (5) days after the action appealed from. In the event the permittee shall fail to deliver such notice to the City within the time prescribed, the action of the City in revoking or suspending the permit shall be final. If the permittee timely delivers the notice to the City Secretary, the City Manager or his designee, shall hear the appeal not more than twenty (20) days after the filing of the notice of appeal with the City.
- (2) A permit may be revoked or suspended by the City upon the verification of any of the following:
 - (a) The permittee has been finally convicted of a felony or other offense involving moral turpitude within the past ten (10) years which adversely affects the applicant's ability to provide safe and reliable passenger transportation;
 - (b) The permit was obtained by an application in which any material fact was intentionally omitted or falsely stated;
 - (c) The permittee has persisted in the continued operation of motor vehicles that are in violation of any law;

- (d) The permittee has willfully and knowingly violated or failed to comply with any of the provisions hereof or any policies or rules set out pursuant to this section;
- (e) The permittee has been found guilty of willfully operating said taxicab in a negligent manner;
- (f) The permittee has allowed insurance on a taxicab driver by said permittee to be canceled, withdrawn, terminated, or to fall below the minimum prescribed in this section;
- (g) The permittee has allowed any of its vehicles or equipment to become damaged, deteriorated or unclean to the extent that it is unsatisfactory for public use;
- (h) The permittee has continued to drive a taxicab after final conviction of an offense as described in sub-section H(1)(c);
- (i) The permittee has altered, or cause to be altered the City Taxi Driver Permit photograph.

N. TAXICAB VEHICLE PERMITS

(1) Fees

- (a) The annual fee for vehicle permits issued prior to June 30 shall be Ten Dollars (\$10.00). Fees for permits issued on June 30 or there after shall be Five Dollars (\$5.00). The fee is not refundable in the event the permit is canceled or revoked prior to expiration. Permit documents which are lost or destroyed may be replaced upon payment of a Five Dollar (\$5.00) fee.

(2) Application

- (a) Every application for a vehicle permit under this section shall be in writing, signed and sworn by the applicant to be true and correct, and shall be filed with the City. The application shall be on the form provided by the City and shall contain the following:
 - (i) Name, address, and telephone number of applicant;
 - (ii) If a corporation, corporate name, place of incorporation, address and telephone number;
 - (iii) If a partnership, name of the partnership, and the names, addresses, and telephone numbers of all partners;
 - (iv) Number of the applicant's operating license;
 - (v) Make, model, body style, model year, color of vehicle, and seating capacity per manufacturer's recommendations;
 - (vi) Number and expiration date of Texas license plate number and Texas vehicle inspection sticker;
 - (vii) Vehicle identification number;
 - (viii) Owner of vehicle, if different than applicant;

(3) Vehicle Requirements

- (a) Vehicles must meet the following minimum requirements:

- (i) Conform to all minimum safety standards as required by the State of Texas;
- (ii) Display the City of College Station permit inside the vehicle at a place visible to the occupants;
- (iii) Each taxicab must have affixed thereto a valid and current state certificate of inspection and state certificate of registration;
- (iv) Each vehicle shall be equipped with a fire extinguisher that is in good operating order;
- (v) Each vehicle shall be reasonably free from dirt or rubbish and shall be otherwise clean and sanitary;
- (vi) The vehicle identification number and the license number of each taxicab must match the numbers listed for that taxicab on the license application;
- (vii) Each vehicle shall have the business name and phone number affixed to the door and it must show that it is a taxicab in lettering of not less than two and one half inches (2 1/2) in height.

(4) Inspection of Vehicle

- (a) No permit shall be issued or reinstated until the vehicle has been inspected by a city official. An inspection checklist form provided by the City to certify that the vehicle has fully complied with all requirements thereon shall be completed at that time. Vehicles shall be subject to re-inspection at any time by a city official.

(5) Term; Expiration; Renewal

- (a) The term of all vehicle permits shall be not more than one year with expiration on December 31. Renewals shall be applied for in the same manner as specified for the original permit. Renewal permits may be issued during the month of December for expiration on December 31 of the following year.

(6) Revocation of Vehicle Permit

- (a) Every vehicle permit issued under this article shall be revoked by the City or his designee if the operating license or combined operating license under which the permit was granted has been terminated. Every vehicle permit issued under this article shall also be subject to revocation for any of the following reasons:
 - (i) The permit was obtained by an application of which any material fact was omitted or stated falsely.
 - (ii) The permit holder has failed to comply with the provisions of this chapter or has persisted in permitting his vehicle to be operated in violation of any law.

(7) Suspension of Vehicle Permit

- (a) Every vehicle permit issued under this article shall be suspended by the City if the vehicle has ceased to comply with the requirements set forth in sub-section N(2) or N(3).

(8) Revocation or Suspension Proceedings

- (a) If the City determines that grounds exist for revocation or suspension of a permit, the permit holder shall be notified of such revocation or

suspension in writing by certified mail, stating the reasons for such revocation, the effective date of revocation, and that the holder of the permit has the right to appeal the revocation or suspension to the City Manager by filing within five (5) days a written notice of appeal with the City Secretary. Otherwise, the revocation or suspension is final and non-appealable. In addition, the City may confiscate the permit document.

(9) Reinstatement of Suspended Permit; Fee

- (a) Vehicle permits suspended because of failure to comply with the requirements of sub-section N(2) may be reinstated as soon as the vehicle is brought back into compliance with sub-section N(2). Application for such reinstatement shall be made in writing to the City on the form provided by the City. The non-proratable fee for such reinstatement shall be five dollars (\$5.00).

O. MISCELLANEOUS OFFENSES

- (1) It shall be unlawful for any person engaged in the taxicab business to overcrowd the taxicab.
- (2) It shall be unlawful for any taxicab driver to represent themselves as another taxicab company.
- (3) It shall be unlawful for any driver of any taxicab or for any other person acting for the driver to seek or solicit patrons or passengers for any such taxicab by word or sign, directly or indirectly, while driving any such taxicab over, through or on, any public street or public place of the City, or while same is parked on any public street or alley of the City, or to repeatedly or persistently drive any taxicab through, over, or on, any public street or places in the City, except in response to calls of prospective passengers or while actually transporting passengers therein.
- (4) When any taxicab is at any rail, air, or bus depot within the City, it shall be unlawful for the driver or person in charge thereof to leave the same and enter the depot or go upon the sidewalk or private property of any railroad company, airfield, or bus station for the purpose of soliciting the transportation of any passenger or passengers arriving on the trains, planes, or buses at such depot.
- (5) It shall be unlawful for any officer or employee of the City to accept, or a taxicab service licensee or employee to offer, either directly or indirectly, any gifts, discounts, or gratuities in association within the provision of taxicab services.
- (6) It shall be unlawful for a taxicab driver to receive or discharge passengers in the roadway of any street. It is a defense to this section that said driver drove to the right-hand sidewalk, the extreme right-hand side of the road as nearly as practical, or into a driveway or parking lot for such purposes.
- (7) It shall be unlawful for a taxicab driver employed to carry passengers to a definite point to fail to make the most direct route that will carry such passengers safely and expeditiously to their destination.
- (8) Failure to Pay Fare
- (a) It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the same or to hire any taxicab with intent to defraud the person from whom it is hired of the value of such service.
- (9) Display of Rates and Fares
- (a) There shall be posted in a conspicuous place on the inside of each taxicab a card showing the rates and fees charged passengers of such taxicab.
- (10) Refusal to Convey at Specified Rate; Excessive Fares

- (a) It shall be unlawful for the owner or driver of any taxicab to refuse to convey a passenger at the rate specified on the rate card displayed in the taxicab, or demand or receive an amount in excess of the rates displayed on such card.
 - (b) Unsolicited tips from the customer shall not be considered as part of the fare rate amount.
- (11) Receipt for Payment
 - (a) It shall be unlawful for the driver of any taxicab, upon receiving full payment of a fare, to refuse to give a receipt upon the request of the passenger making such payment.

P. PROPERTY LEFT IN VEHICLE; DISPOSITION

- (1) It shall be the responsibility of every taxicab driver to return to the owner any luggage, merchandise, or other property left in the taxicab whenever possible. If the owner is unknown or cannot be located, the driver shall deliver such articles to his employer with a complete written report as to when it was left in the taxicab, the circumstances relating thereto and any other information which would assist in the identification or location of the owner of the article(s). The unclaimed article(s) shall be maintained by the taxicab certificate holder for a six month period prior to disposal.

Q. DUTY TO TRANSPORT PASSENGERS BY SHORTEST ROUTE.

- (1) Each driver of a taxicab in the city shall transport his/ her passengers to definite points designated by the passengers, and he/she shall take the most direct and shortest route to deliver such passengers safely and expeditiously to their destination.

(Ordinance No. 2336 of June 11, 1998)